

Minutes of the Yorktown Town Council
Regular Meeting
Monday, September 19, 2022, at 5:30 p.m.
Yorktown Town Hall

Call to Order, Pledge of Allegiance, Roll Call:

Rich Lee	Rick Glaub	Nanci Sears Perry	Lon Fox	Robert Ratchford	Daniel Flanagan	Marta Guinn
Present	Present	Present	Present	Present	Present	Present

Approval of Claims-Daniel Flanagan motioned to approve claims totaling \$839,977.38 Rich Lee seconded and the motion passed without dissent.

Approval of August 15, 2022, Council Meeting Minutes, August 31, Executive Session Minutes, and August 31, 2022, Special Council Budget Meeting Minutes-Councilmember Marta Guinn requested that the minutes to the Special Council Budget Review meeting on August 31, 2022, be amended to correct the fact that she was marked as present although she was not in attendance because she was at a funeral. Rich Lee motioned to approve the amended meeting minutes. Daniel Flanagan seconded and the motion passed without opposition. Councilmember Rick Glaub abstained from the vote.

2023 Budget Public Hearing-President Fox opened the hearing to public comments at 5:32 p.m. Rick Yencer, 3100 N CR 500 W, commented about tax increases, utility rate increases, and massive debt; that the Town was requesting a 200% increase in the tax levy; was spending money that the Town didn't have; that the Town needed a mayor; asked for an explanation for raising the fire levy; stated that the Town needed a fire district because they were not a professional fire department and were not full time; and was tired of constant tax increases for little or nothing gained. David Boone, Yorktown Fire Department Chief, 11199 W Division Rd, explained that the Fire Department was professional but not career. Councilmember Rich Lee asked if the budget was increased by 200%. Clerk Treasurer Turner explained that numbers were the same as last year and that the advertised amount did not include fund balances. President Fox closed the Public Hearing at 5:35 p.m.

Old Business: Ordinance 826 Trash Rate Ordinance. Ordinance 826 was introduced at the August council meeting and increases the trash collection rates by the same amount that the provider has increased the rates. Starting October 1, 2022, the trash user charge will be \$15.15 per month. Daniel Flanagan motioned to adopt the ordinance. Robert Ratchford seconded and the motion passed 7-0.

New Business: 1) Appointment of Town Marshal-The Town Council has offered the position of Town Marshal to Kurt Walthour and he has accepted the position under the previous salary ordinance. Mr. Walthour would start as the Town Marshal no later than October 17, 2022. Marta Guinn motioned to hire Kurt Walthour to the police department and made a concurrent motion to appoint Mr. Walthour as Town Marshal. Daniel Flanagan seconded and the motion was unanimously approved. Roll call vote:

Rich Lee	Rick Glaub	Nanci Sears Perry	Lon Fox	Robert Ratchford	Daniel Flanagan	Marta Guinn
Yes	Yes	Yes	Yes	Yes	Yes	Yes

2) Purchase of Dump Truck Beds-Tim Caldwell, Street Superintendent, has requested approval of a quote from Clark Truck Equipment to outfit dump beds and plows for the two new trucks to avoid a potential price increase. The cost of outfitting one truck was \$44,985 (\$89,970 total) and would be paid from the Street fund. Daniel Flanagan motioned to accept the quote. Nanci Sears Perry seconded and the motion passed with no objections.

3) Roundabout Change Orders-The first of three changes addressed relocating a water main and fire hydrant with a new contractor that would eliminate a water shut off and a boil order. The other changes included extending milling and pavement north of Nebo and east on River Road and switching from asphalt to pavement along the sidewalk areas on the southwest corner of the project. The Town's 20% of the cost of approximately \$6,000 would come from the Street fund. Robert Ratchford motioned to approve the change orders. Rich Lee seconded and the motion passed with uncontested approval.

4) Memorandum of Understanding with Yorktown Community Schools' Resource Officers. Yorktown Community Schools has requested that the school resource officers be under the immediate supervision of the Transportation Director and will answer to the building principal or other designee of the school and that all officers be up to date on all required training. Nanci Sears Perry moved to table the memorandum at the request of incoming Marshal Walthour. Marta Guinn seconded and the motion was tabled without dissent.

5) Resolution 2022-6 Sale of Vehicles-Yorktown Community School Corporation has expressed interest in purchasing two of the old Impala police vehicles to be used by school resource officers and the Town of Gaston has expressed interest in purchasing three of the vehicles at a price of \$999 each. The proceeds would be receipted into the General Fund for improvements to the current fleet. Robert Ratchford motioned to approve the resolution. Daniel Flanagan seconded and the motion passed without opposition.

Water/Waste Water/ Storm Water: Control Panel Upgrades-The control panel at the 500 W lift station needs an upgrade to keep operating during severe wet weather events. Mr. Neff obtained a quote from Frakes Engineering at a cost of \$13,935 to be paid from the Sewer Depreciation account. Daniel Flanagan moved to accept the quote. Rich Lee seconded and the motion passed 7-0.

Suspended Officer Blake Barnard-The Indiana Law Enforcement Academy informed the Town that suspended officer Blake Barnard would have a hearing to revoke his license/certification. Blake Barnard was scheduled to return from a suspension on September 29, 2022. Town Marshal Olson recommended that another hearing be scheduled to bring 5 charges against Blake Barnard including violations of YPD standards of conduct, neglect of duty, failure to enforce the law, conduct unbecoming an officer, and violating the oath of office. Mr. Olson felt it would be irresponsible of the town to allow Blake Barnard to patrol the streets as a police officer. The ILEA hearing was scheduled for the middle of October. Marta Guinn motioned to schedule a hearing and Daniel Flanagan seconded. Town attorney Maura Hoff explained that Blake Barnard would be served with

the charges and that a hearing would then be scheduled at the request of Blake Barnard otherwise a special meeting would be held. No motion was required to serve the five charges to Blake Barnard.

Departmental Reports-Kurt Walthour commented that it was going to be an honor to represent Yorktown and that he was impressed with how vested and positive the police officers were. Interim Marshal Harless reported that the third truck was going to be picked up as the department was in need of vehicles as two vehicles were under repair. Interim Marshal Harless also reported the recent massive crash was still an open case and could not share details, he could report on the case when it was cleared, and congratulated incoming Marshal Walthour.

Comments were made from the Floor and by Town Council Members. Appreciation was expressed to Councilmember Rich Lee who was leaving the council and to Town Manager Pete Olson who had resigned from the position to enter the private sector.

Adjournment: 6:14 p.m.

President

**Prepared by/Attest
Clerk Treasurer-Lance Turner**